

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:22CR109
)	
Plaintiff,)	JUDGE J. PHILIP CALABRESE
)	
v.)	
)	
SAMUEL MARCEL JAWAN SCOTT,)	MOTION OF THE UNITED STATES FOR
)	A PRELIMINARY ORDER OF FORFEITURE
Defendant.)	<u>AS TO \$58,800.00 IN U.S. CURRENCY</u>

NOW COMES the United States of America, by and through the undersigned counsel, and moves this Court for the issuance of a Preliminary Order of Forfeiture in the above-captioned case. A proposed Preliminary Order of Forfeiture is attached hereto.

This motion is supported by the following:

1. On March 15, 2022, a Grand Jury returned a 12-count Indictment against Samuel Marcel Jawan Scott and one co-defendant, charging them with federal drug violations and federal firearms violations. Specifically, Defendant Scott was charged with violations of 21 U.S.C. § 841.

2. The Indictment further sought forfeiture, as it relates to Defendant Scott, pursuant to 21 U.S.C. § 853, of any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of such offenses; any and all property used or intended to be used in any manner or part, to commit or to facilitate the commission of such offenses; including, but

not limited to, the following: \$58,800.00 in U.S. Currency seized from Samuel Marcel Jawan Scott.

3. On July 19, 2022, Samuel Marcel Jawan Scoot entered into a plea agreement pleading guilty to the federal drug violations charged in Counts 10, 11, and 12 of the indictment and, agreed to the forfeiture of the \$58,800.00 in U.S. Currency, as it constitutes or was derived from proceeds obtained directly, or indirectly as a result of the criminal activity to which he pleaded guilty; and/or was used or intended to be used, in any manner or part, to commit or to facilitate the criminal activity to which he pleaded guilty; and is, therefore, subject to forfeiture.

4. This Court's jurisdiction in this matter is founded upon 21 U.S.C. § 853(a) which provides that with respect to any person convicted of a felony offense in violation of Subchapters I and II of Chapter 13 of Title 21, United States Code:

(a) Any person . . . shall forfeit to the United States—

(1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; [and]

(2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation . . .

5. Upon the issuance of a Preliminary Order of Forfeiture, the United States will provide written notice to any known third parties asserting a legal interest in the initially forfeited properties, and will publish, on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, notice of the Court's Order and the intent of the United States to dispose of the \$58,800.00 in U.S. Currency in such manner as the Attorney General may direct.

WHEREFORE, the United States respectfully requests that this Court enter judgment of criminal forfeiture by issuing the proposed Preliminary Order of Forfeiture pursuant to Fed.R.Crim.P. 32.2(b)(2)(A) and 21 U.S.C. § 853, forfeiting to the United States the interest of defendant Samuel Marcel Jawan Scott in the \$58,800 in U.S. Currency and order the United States to seize it forthwith, and dispose of it in accordance with law.

Respectfully submitted,

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